

2-26-02

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Please type a plus sign (+) inside this box [+]

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0082

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 04860.P0539C3

(maximum 12 characters)

First Named Inventor Daniel S. VenoliaTitle: ZOOMING CONTROLLERExpress Mail Label No. EL 821 777 335 US

ADDRESS TO: Assistant Commissioner for Patents
 Box Patent Application
 Washington, D. C. 20231

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ **Fee Transmittal Form (e.g., PTO/SB/17)**
 (Submit an original, and a duplicate for fee processing)
2. ☐ **Applicant Claims Small Entity Status. (37 CFR 1.27)**
3. ☒ **Specification (Total Pages 31)**
 (preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference sequence listing, a table,
 or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ **Drawings(s) (35 USC 113) (Total Sheets 10)**
5. ☒ **Oath or Declaration (Total Pages 2)**
 - a. ☐ Newly Executed (Original or Copy)
 - b. ☒ Copy from a Prior Application (37 CFR 1.63(d))
 (for Continuation/Divisional with Box 18 completed)
 - i. ☐ **DELETIONS OF INVENTOR(S)** Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
 - c. ☐ Unsigned.
6. ☐ **Application Data Sheet. (37 CFR 1.76)**
7. ☐ **CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)**
8. ☐ **Nucleotide and/or Amino Acid Sequence Submission**
 (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. ☐ Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. _____ Assignment Papers (cover sheet & documents(s))
10. _____ a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
 _____ b. Power of Attorney
11. _____ English Translation Document (if applicable)
12. X a. Information Disclosure Statement (IDS)/PTO-1449
 _____ b. Copies of IDS Citations
13. X Preliminary Amendment
14. X Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. _____ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. _____ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. X Other: Copy of postcard with Express Mail Certificate of Mailing; and

18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

X Continuation _____ Divisional _____ Continuation-in-part (CIP)
 Of Prior Application No.: 09/551,411 Examiner J. Brier Group Art Unit 2672
 (which is a X continuation/ _____ divisional/ _____ CIP of prior application no. 08/104,251,
 which is a X continuation/ _____ divisional/ _____ CIP of prior application no. 07/811,830) (List entire chain of priority)

Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.
 For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18B. Statement under 37 CFR 3.73(b) for continuing application:

The undersigned states that Apple Computer, Inc. (name of assignee) is
 the assignee of the entire right, title, and interest in the accompanying patent application by
 virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. 5969
 Frame No. 0839 (or a copy of which is attached).

19. Correspondence Address

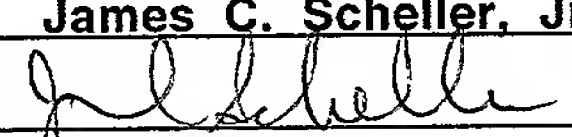
_____ Customer Number or Bar Code Label _____
 or (Insert Customer No. or Attach Bar Code Label here)
X Correspondence Address Below

NAME James C. Scheller, Jr.
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS 12400 Wilshire Boulevard, Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025-1026

Country U.S.A. TELEPHONE (408) 720-8300 FAX (408) 720-8383

Name (PRINT/TYPE): James C. Scheller, Jr. Registration No.: 31,195
 Signature:  Date: 2/22/2002

FEE TRANSMITTAL FOR FY 2002

TOTAL AMOUNT OF PAYMENT (\$) 1128.00

Complete if Known:

Application No. _____
Filing Date February 22, 2002
First Named Inventor Daniel S. Venolia
Group Art Unit _____
Examiner Name _____
Attorney Docket No. 04860.P0539C3

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666
Deposit Account Name _____

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

2. ☒ Payment Enclosed:

☒ Check
____ Money Order
____ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility application filing fee	<u>740.00</u>
106	330	206	165	Design application filing fee	_____
107	510	207	255	Plant filing fee	_____
108	740	208	370	Reissue filing fee	_____
114	160	214	80	Provisional application filing fee	_____
SUBTOTAL (1)					<u>\$ 740.00</u>

2. EXTRA CLAIM FEES

			Extra		Fee from below		Fee Paid
Total Claims	<u>25</u>	- 20 =	<u>5</u>	X	<u>18.00</u>	=	<u>90.00</u>
Independent Claims	<u>5</u>	- 3 =	<u>2</u>	X	<u>84.00</u>	=	<u>168.00</u>
Multiple Dependent Claims				X		=	

**Or number previously paid, if greater; For Reissues, see below.

Large Entity		Small Entity		Fee Description	SUBTOTAL (2)
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	**Reissue independent claims over original patent	
110	18	210	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					<u>\$ 258.00</u>

FEE CALCULATION (continued)

3. ADDITIONAL FEES

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex-parte reexamination	
099	8,800	099	8,800	Request for inter partes reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	
116	400	216	200	Extension for response within second month	
117	920	217	460	Extension for response within third month	
118	1,440	218	720	Extension for response within fourth month	
128	1,960	228	980	Extension for response within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive unavoidably abandoned application or unavoidably delayed payment of issue fee	
141	1,280	241	640	Petition to revive unintentionally abandoned application or unintentionally delayed payment of issue fee	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	For filing a submission after final rejection (see 37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (see 37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) Petition for Suspension of Action (1 page) 130.00

Other fee (specify) _____

SUBTOTAL (3)\$ 130.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: James C. Scheller, Jr.

Signature:  Date: 2/22/2002

Reg. Number: 31,195 Telephone Number: (408) 720-8300

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Daniel S. Venolia

Application No. _____

Filed: February 22, 2002

For: ZOOMING CONTROLLER

Asst. Commissioner for Patents
Washington, D.C. 20231

Examiner: Not yet assigned

Art Unit: Not yet assigned

PETITION FOR SUSPENSION OF PROSECUTION

UNDER 37 C.F.R. 1.103

Sir:

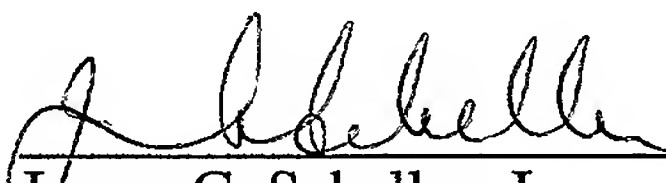
Applicant hereby petitions for the suspension of action in this application. At the present time, no outstanding action exists in this application. The suspension of action is requested for the reasonable time period of three months, and a check is enclosed for the necessary fee under 37 C.F.R. 1.17(i).

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: 2/22, 2002


James C. Scheller, Jr.
Reg. No. 31,195

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025-1026
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"Express Mail" mailing label number: EL 821 777 335 US

Date of Deposit: February 22, 2002

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

Connie Thayer

(Typed or printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)

2-22-02

(Date signed)

EXPRESS MAIL CERTIFICATE OF MAILING

"Express Mail" mailing label number: EL 821 777 335 45
Date of Deposit: FEBRUARY 22, 2002

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231

CONNIE THAYER
(Typed or printed name of person mailing paper or fee)

Connie Thayer
(Signature of person mailing paper or fee)

2-22-02
(Date signed)

Serial/Patent No.: *** Filing/Issue Date: February 22, 2002
Client: Apple Computer, Inc.
Title: ZOOMING CONTROLLER

BSTZ File No.: 04860.P0539C3 Atty/Secty Initials: JCS/clt
Date Mailed: 2-22-02 Docket Due Date: ***

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- | | | |
|---|---|--|
| <input type="checkbox"/> Amendment/Response (____ pgs.) | <input checked="" type="checkbox"/> Express Mail No.: <u>EL821777335US</u> | <input checked="" type="checkbox"/> Check No. <u>48411</u> |
| <input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate) | <input type="checkbox"/> _____ Month(s) Extension of Time | <input type="checkbox"/> Amt: <u>\$998.00</u> |
| <input type="checkbox"/> Application - Utility (____ pgs., with cover and abstract) | <input checked="" type="checkbox"/> Information Disclosure Statement & PTO 449 (<u>5</u> pgs.) | <input checked="" type="checkbox"/> Check No. <u>47390</u> |
| <input checked="" type="checkbox"/> Application - Rule 1.53(b) Continuation (<u>31</u> pgs.) | <input type="checkbox"/> Issue Fee Transmittal <u>1.98(d)</u> | <input type="checkbox"/> Amt: <u>\$130.00</u> |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.) | <input type="checkbox"/> Notice of Appeal | |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.) | <input type="checkbox"/> Petition for Extension of Time | |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.) | <input checked="" type="checkbox"/> Petition for <u>Suspension of Action</u> (1 pg) | |
| <input type="checkbox"/> Application - Design (____ pgs.) | <input checked="" type="checkbox"/> Postcard | |
| <input type="checkbox"/> Application - PCT (____ pgs.) | <input type="checkbox"/> Power of Attorney (____ pgs.) | |
| <input type="checkbox"/> Application - Provisional (____ pgs.) | <input checked="" type="checkbox"/> Preliminary Amendment (<u>2</u> pgs.) | |
| <input type="checkbox"/> Assignment and Cover Sheet | <input type="checkbox"/> Reply Brief (____ pgs.) | |
| <input checked="" type="checkbox"/> Certificate of Mailing | <input type="checkbox"/> Response to Notice of Missing Parts | |
| <input type="checkbox"/> Declaration & POA (____ pgs.) | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business | |
| <input type="checkbox"/> Disclosure Docs & Orig & Copy of Invention Signed Later (____ pgs.) | <input checked="" type="checkbox"/> Transmittal Letter, in duplicate <u>2</u> pgs | |
| <input type="checkbox"/> Drawings, _____ # of sheets includes _____ figures | <input checked="" type="checkbox"/> Fee Transmittal, in duplicate <u>2</u> pgs | |

■ Other: Copy of prior appln no. 09/551,411 filed 4/18/00 (31 pgs)
with copy of signed Declaration (2 pgs) and 10 sheets of drawings;
copy of postcard with Express Mail certificate of mailing (1 pg)